

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

IN RE:

CHRYSTAL MARIE MARTINEZ-WESINGER

Debtor

CASE NO: 14-51264-SCS  
CHAPTER 7

**MOTION TO REOPEN CLOSED CHAPTER 7 CASE**

To The Honorable Stephen C. St. John, U. S. Bankruptcy Judge:

NOW COMES your Debtor, CHRYSTAL MARIE MARTINEZ-WESINGER, by counsel, and in support of her Motion to Reopen Closed Chapter 7 Case respectfully represents as follows:

1. On September 10, 2014, Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.
2. David R. Ruby was appointed Trustee to administer Debtors' Chapter 7 case.
3. The debtor attended her Section 341 Meeting of Creditors on October 20, 2014 and David R. Ruby filed his No Asset Report with the Court on November 25, 2014.
4. That on December 24, 2014 the debtor received her Discharge Order and the case was closed on December 30, 2014.
5. On November 14, 2013, Debtor was involved in an automobile accident which resulted in extensive physical and mental trauma to the Debtor. Debtor was charged in New Kent County General District Court with following too closely.

**Richard C. Langhorne, Esquire**  
State Bar #20624  
P.O. Box 1119  
Gloucester, VA 23061  
(804) 824-9434

6. Prior to filing the bankruptcy, Debtor had met with a personal injury attorney regarding the auto accident, and was under the impression that she did not have an actionable claim against the other vehicle/driver and the attorney refused to accept her case.

7. Debtor reported the auto accident in her Statement of Financial Affairs, however, no entry was made on Schedules B or C for a potential claim for personal injuries arising out of the accident.

8. Subsequent to her bankruptcy filing, Debtor consulted with another personal injury attorney who was of the opinion that Debtor did have an actionable claims arising out of the accident and he filed two lawsuits on her behalf in New Kent on January 30, 2015 and November 6, 2015.

9. As of the time of this Motion, Debtor has received no settlement proceeds from her claim and one suit is scheduled for a jury trial on July 12, 2017.

10. Debtor is requesting that her bankruptcy be reopened to allow her to amend Schedules B and C to set forth and fully exempt her potential claim for personal injuries arising out of the motor vehicle accident on November 14, 2013.

WHEREFORE, Debtor prays that this Court will re-open her closed Chapter 7 case to allow her to file the appropriate amendments to schedule and exempt her potential claim for personal injuries arising out of the automobile accident on November 14, 2013.

CHRYSTAL MARTINEZ-WESINGER

By: /s/ Richard C. Langhorne  
Of Counsel

Richard C. Langhorne, Esquire  
State Bar #20624  
P.O. Box 1119  
Gloucester, VA 23061  
(804) 824-9434

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the forgoing Motion to Reopen Chapter 7 case was sent electronically or mailed via 1<sup>st</sup> Class U.S. Postal Service this 20th day of October, 2016, to the Debtor, Chapter 7 Trustee, the United States Trustee, and to all creditors listed on the attached mailing matrix.

/s/ Richard C. Langhorne  
Richard C. Langhorne